

**FREDERICK COUNTY  
DEVELOPMENT REVIEW OUTREACH MEETING  
Session # 43  
30 North Market Street, Training Room  
April 24, 2009**

**MEETING MINUTES**

**Prior Meeting Minutes:** Minutes from the previous meeting and the current agenda were available to the group. These items will also be posted on the website ([www.frederick.co.md](http://www.frederick.co.md)) for this and subsequent meetings. NOTE: These minutes follow the agenda as distributed; open discussion items are included at the end of these minutes.

**Staffing:** Betsy Smith provided an update on our staffing issues, including the effect of the hiring freeze and recent layoffs on DPDR as follows:

- 3 positions within DPDR were eliminated due to budget issues.
  - ECS Manager (Construction Manager II) – The duties of this position will be handled by Steve Fellers, Dave Crable and Rhonda Greenholtz.
  - Zoning Planner I – Justin Horman will primarily handle the duties of this position
  - Permit Technician – The duties will be handled by current remaining Permit Tech staff
- Deputy Director of Permitting and Development Review – Interviews have been conducted for this position which is a combination of the two Director positions (Permits & Inspections and Planning) that have been open and not yet filled. These two director positions will be eliminated.
- There is still a hiring freeze for all positions except for the Deputy Director.

**APFO:** The group was briefed as follows:

**ROADS:**

- Staff has participated in a roads worksession with the BOCC and FCPC and believe that many of the issues have been resolved.
- Next worksession is May 5, 2009.
- The proposed Guidelines and Ordinance are available on the BOCC website.
- If accepted by the BOCC, the proposed Guidelines and Ordinance will go to the FCPC and Public Hearing prior to adoption. Adoption is anticipated midsummer.

**SCHOOLS:**

- Staff continues to work on issues, most specifically how to account for background development; these Code changes will go through a similar public hearing process. Timing is being set.

**WATER & SEWER:**

- No changes in the Ordinance at this time.

**FIRE & EMERGENCY SERVICES:**

- Went to worksession on April 28, 2009 and is available on the BOCC website.
- Per Gary Hessong, the biggest issue is mitigation effort; the current process is to test and if it passes, it is okay and if it fails, project cannot proceed; mitigation is being explored,

specifically fee-in-lieu or allowing mitigation based on the facility need; the major problem with that is that there is no Fire & Rescue Master Plan.

He also noted that Comprehensive Planning is involved in some of the changes but it is anticipated that once all the issues are addressed for roads, schools and W&S, the changes will be adopted quickly-likely within 60 days.

#### **Grading Permit Changes:**

- The BOCC has approved the changes to Section 1-10 of the Code that were presented in the Public Hearing on April 21, 2009.
- The primary changes were to the renewals of grading permits and the method in which the fees are to be paid.
  - All permits for which there is an outstanding surety must be renewed annually and pay the applicable fee.
  - Fees were separated into an Application (administrative) fee and a Permit (inspection) fee.
  - Current permits will be defined as “active” which requires regular inspections or “inactive” which does not require regular inspections due to inactivity on the site.
  - A process by which applicants can request to be placed in an “inactive” status was created.
  - Those permits that are “inactive” may pay administrative fees, only, to renew.
  - When permit becomes “active” again, full inspection fees will be required.
- The Code changes will become effective July 1, 2009
- All current grading permits with outstanding sureties that have been inactive will be grandfathered. This grandfathering will retroactively allow the administrative fee to be paid, when appropriate.
- Rhonda will be working on identifying the old permits and fees that are due.
- A project with an outstanding violation of any nature will not be eligible to be grandfathered and may be required to pay inspection fees, as well.
- Future plans are to change the application process so that the submission of grading permits and the payment of fees are handled at the intake counter.
- Priorities for the Rhonda will be 1 – permits that have As-Built plans on hold, 2 – permits that have guarantee releases requested, and 3 – chronologically thereafter
- Letters will have the same format as currently provided

**Tolling:** In line with the emergency legislation adopted by the State, the BOCC will be looking at extending approval periods for qualifying projects during this economic downturn. Staff has been directed to compile a list of said projects and provide guidance on how to implement extensions and address fees. Gary felt that the timeframe would be within the next 30 days.

**Stormwater Management MD 2007:** The link to the MDE website that contains the revised regulations is:

<http://www.mde.state.md.us/Programs/WaterPrograms/SedimentandStormwater/swm2007.asp>

Betsy stated that the new regulations are moving forward and approval is expected May 4, 2009. She said that there is a grandfathering provision although it will probably be very tight. Currently, the State regulations will be effective May 4, 2009, and County governments are to

have drafts to the State by November 11, 2009, as current codes cannot be an impediment to the new regulations and process. Frederick County will have to adopt a new Ordinance by May 4, 2010. Betsy said that she will be meeting with MDE in early May to better understand implementation and grandfathering.

**Open Discussion:**

- Health Department “only” review of plats – there has been no additional discussion
- Health Department is proposing to raise fees if approved by the BOCC – contact George Keller with questions
- DPDR fees will be adjusted July 1, 2009.
- Internal audit of DPDR may suggest changes to the Fee Ordinance, as well as other processes.

**NEXT MEETING: Friday, July 24, 2009.**